

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

**IN RE GOOGLE INC. COOKIE
PLACEMENT CONSUMER PRIVACY
LITIGATION**

Case No. 12-MD-2358 (SLR)

**This Document Relates to:
ALL ACTIONS**

**DECLARATION OF JAMES P. FRICKLETON IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

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DECLARATION OF JAMES P. FRICKLETON

I, James P. Frickleton, declare:

1. I am managing partner of the firm Bartimus, Frickleton, Robertson & Gorny, P.C., interim co-lead counsel in this case. I submit this declaration of my own personal knowledge, and if called to testify, I could and would competently testify hereto under oath.

2. I submit this declaration in support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement with Defendant Point Roll, Inc. ("PointRoll"), for certification of a class for settlement purposes, for appointment of Plaintiffs William Gourley, Jose M. ("Josh") Bermudez, Nicholas Todd Heinrich, and Lynne Krause as the representatives of the Settlement Class, and for appointment of Interim Class Counsel (consisting of Keefe Bartels, LLC; Bartimus, Frickleton, Robertson & Gorny, P.C.; and Strange & Carpenter) as Settlement Class Counsel.

3. By Memorandum Order dated November 16, 2012 (Dkt. #44), this Court appointed Keefe Bartels, LLC; Bartimus, Frickleton, Robertson & Gorny, P.C.; and Strange & Carpenter as co-interim class counsel pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure. In doing so, the Court noted our firms' "experience in large class actions and with substantial privacy rights litigation," our "impressive credentials and the underlying qualifications to serve as lead counsel," our "understanding of the legal issues," our "work to identify or investigate potential claims," and "the resources [we] will bring to bear on behalf of the putative class." (Order, pages 3-4)

4. As the Court has recognized, I have substantial experience in complex litigation including class actions, having served and still serving as class counsel in federal and state court privacy and consumer class action cases. I, and my firm, are currently serving as Settlement

Class Counsel for plaintiffs in the MDL case of *In Re: AT&T Mobility Wireless Data Services Sales Tax Litigation*, MDL No. 2147 pending in the United States District Court for the Northern District of Illinois before The Honorable Amy J. St. Eve. In addition, I am co-lead counsel for the plaintiffs in the case *In Re: Facebook Internet Tracking Litigation*, Case No. 5:12-MD-02314-EJD in the United States District Court for the Northern District of California before The Honorable Edward J. Davilla. I am also serving as co-lead settlement counsel in the case of *MBA Surety Agency, Inc. v. AT&T Mobility, LLC*, Case No. 1222-CC-09746 in the Circuit Court of the City of St. Louis, Missouri, before The Honorable David Dowd, which case resulted in a recovery to the Settlement Class of \$153,000,000. I, and my firm, have been involved in multiple cases involving significant legal, factual and damage issues as set out more fully in prior court filings. (See, Dkt. #28)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23rd day of September, 2013 at Leawood, Kansas.

/s/ James P. Frickleton
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